

JUL 29 2005

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Hikari KAWATA et al.

Docket No.
121027-198Application No.
10/670,019Filing Date
September 24, 2003Examiner
Chivonne EvansGroup Art Unit
3761

Invention:

DISPOSABLE BODY FLUID ABSORBENT PAD

I hereby certify that this Response to Election of Species Requirement
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 Response Dated July 29, 2005
 Reply to Office Action of June 29, 2005

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group
Art Unit: 3761

Attorney
Docket No.: 121027-198

Applicant: Hikari KAWATA et al.

Invention: DISPOSABLE BODY FLUID
 ABSORBENT PAD

Serial No.: 10/670,019

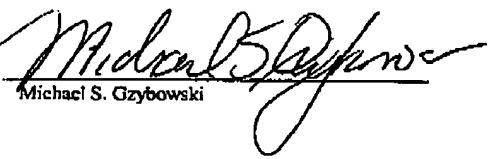
Filed: September 24, 2003

Examiner: Chivonne Evans

Certificate Under 37 CFR 1.8(b)

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on July 29, 2005


 Michael S. Gzybowski

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Office Action of June 29, 2005 applicants submit the following:

In the Office Action the Examiner has instituted an Election of Species Requirement in which the Examiner has taken the position that the application includes claims directed to patentably distinct species of the invention.

Specifically the Examiner identifies the patentably distinct species of the invention as:

Species I: Embodiment shown in Figure 1;

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Species II: Embodiment shown in Figure 6;

Species III: Embodiment shown in Figure 9; and

Species IV: Embodiment shown in Figure 13.

The Examiner states that there is no generic claim. However, the sole independent claim 1 is generic to all the dependent claims and hence any dependent claims directed to the different species of the invention identified by the Examiner.

The Examiner has noted that upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise includes all the limitations of an allowed generic claim.

In response to the Election of Species Requirement, applicants elect the species of the invention the Examiner as identified as corresponding to Fig. 1 (Species I).

The claims that read on the elected species include claims 1-4, 11 and 12.

Notwithstanding applicants' election the Examiner is requested to reconsider and withdraw the Election of Species Requirement should the Examiner discover that the fields of search are coextensive for the elected and one or more non-elected species of the invention.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicant's patent counsel at the telephone number given below to discuss such issues.

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To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



Michael S. Gzybowski
Reg. No. 32,816

BUTZEL LONG
350 South Main Street
Suite 300
Ann Arbor, Michigan 48104
(734) 995-3110

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